ATENT COOPERATION TRATY

From the INTERNATIONAL BUREAU	
To:	

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)

28 February 2001 (28.02.01)

International application No.

PCT/US00/15021

International filing date (day/month/year)

08 June 2000 (08.06.00)

Applicant

CHEN, Shu, Hui et al

	·
1.	The designated Office is hereby notified of its election made:
	X in the demand filed with the International Preliminary Examining Authority on:
	19 January 2001 (19.01.01)
	in a notice effecting later election filed with the International Bureau on:
2.	The election X was
	was not
	made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Authorized officer

R. E. Stoffel

Telephone No.: (41-22) 338.83.38

Facsimile No.: (41-22) 740.14.35

PATENT COOPERATION Th_ATY

	From t	he INTERNATIONAL E	BUREAU	
PCT	To:		- <u>- </u>	
NOTIFICATION OF THE RECORDING OF A CHANGE (PCT Rule 92bis.1 and Administrative Instructions, Section 422) Date of mailing (day/month/year) 13 December 2001 (13.12.01)	Eli L Lilly India	MUSSER, Arlene, K. Eli Lilly and Company Lilly Corporate Center Indianapolis, IN 46285 ETATS-UNIS D'AMERIQUE		
Applicant's or agent's file reference	 			
X-11811		IMPORTANT NOT	TIFICATION	
International application No.	Internation	nal filing date (day/month/y	rear)	
PCT/US00/15021	08 J	une 2000 (08.06.00)		
The following indications appeared on record concerning:				
X the applicant X the inventor	the ager	the comm	on representative	
Name and Address		State of Nationality	State of Residence	
SUN, Xicheng, David 9929 Brightwater Drive		CN	US	
Noblesville, IN 46060		Telephone No.		
United States of America				
		Facsimile No.		
·		T-1		
		Teleprinter No.		
2. The leaves of				
2. The International Bureau hereby notifies the applicant that				
the person X the name X the ad	dress	the nationality	the residence	
Name and Address		State of Nationality	State of Residence	
SUN, Xicheng 923 Grays Peak Drive		CN	US	
Superior, CO 80027		Telephone No.		
United States of America				
		Facsimile No.		
	- 1			
		Teleprinter No.		
2 Fundamental V				
3. Further observations, if necessary:				
4. A copy of this notification has been sent to:				
	_	 -		
X the receiving Office	<u>_</u>	the designated Offices	concerned	
the International Searching Authority		the elected Offices cond	perned	
the International Preliminary Examining Authority		other:		
	Authorized	officer		
The International Bureau of WIPO	Authorized (_	
34, chemin des Colombettes 1211 Geneva 20, Switzerland		Beatriz LARG	U	
Facsimile No.: (41-22) 740.14.35	Telephone M	Telephone No · (41-22) 338 83 38		

PATENT COOPERATION TE ATY

_	From the INTERNATIONAL BUREAU			
PCT	То:			
NOTIFICATION OF THE RECORDING OF A CHANGE (PCT Rule 92bis.1 and Administrative Instructions, Section 422) Date of mailing (day/month/year)	MUSSER, Arlene, K. Eli Lilly and Company Lilly Corporate Center Indianapolis, IN 46285 ETATS-UNIS D'AMERIQUE			
09 March 2001 (09.03.01)				
Applicant's or agent's file reference X-11811	IMPORTANT NOTIFICATION			
International application No. PCT/US00/15021	International filing date (day/month/year) 08 June 2000 (08.06.00)			
The following indications appeared on record concerning: X the applicant X the inventor	the agent the common representative			
Name and Address KRSTENANSKY, John, L. 560 Highland Park Avenue Coralville, IA 52241 United States of America	State of Nationality US US Telephone No. Facsimile No. Teleprinter No.			
2. The International Bureau hereby notifies the applicant that to the person X the name the add				
Name and Address KRSTENANSKY, John, Leonard 560 Highland Park Avenue Coralville, IA 52241 United States of America	State of Nationality US US Telephone No. Facsimile No. Teleprinter No.			
3. Further observations, if necessary:				
4. A copy of this notification has been sent to: X the receiving Office the International Searching Authority X the International Preliminary Examining Authority	the designated Offices concerned X the elected Offices concerned other:			
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer F. Baechler Talashara No. (41.22) 229 83 29			

PATENT COOPERATION TI ATY

	From	he INTERNATIONAL I	BUREAU	
PCT				
NOTIFICATION OF THE RECORDING OF A CHANGE (PCT Rule 92bis.1 and Administrative Instructions, Section 422) Date of mailing (day/month/year)		MUSSER, Arlene, K. Eli Lilly and Company Lilly Corporate Center Indianapolis, IN 46285 ETATS-UNIS D'AMERIQUE		
09 March 2001 (09.03.01)	_			
Applicant's or agent's file reference X-11811		IMPORTANT NOT	TFICATION	
International application No. PCT/US00/15021		nal filing date (day/month/ une 2000 (08.06.00)	vear)	
The following indications appeared on record concerning: X the applicant X the inventor	the age	the comm	on representative	
Name and Address ZWEIFEL, Mark, James 5505 Foxtail Court		State of Nationality US Telephone No.	State of Residence US	
Indianapolis, IN 46221 United States of America		Facsimile No.		
		Teleprinter No.		
2. The International Bureau hereby notifies the applicant that the person the name X the ad		change has been recorded the nationality	concerning: the residence	
Name and Address		State of Nationality	State of Residence	
ZWEIFEL, Mark, James 1840 Centenary Road		US Telephone No.	US	
1840 Centenary Road Mooresville, IN 46158 United States of America		relephone No.		
		Facsimile No.		
		Teleprinter No.		
3. Further observations, if necessary:				
4. A copy of this notification has been sent to:				
X the receiving Office	Γ	the designated Offices	concerned	
the International Searching Authority	Ţ.	the elected Offices cond	cerned	
X the International Preliminary Examining Authority		other:		
The International Bureau of WIPO	Authorized	officer		
34, chemin des Colombettes 1211 Geneva 20, Switzerland		F. Baechler		
Facsimile No.: (41-22) 740.14.35	Telephone N	elephone No.: (41-22) 338.83.38		

01001,720

PATENT COOPERATION TREATY



PCT

NOTIFICATION THAT DEMAND OR ELECTION IS CONSIDERED NOT TO HAVE BEEN SUBMITTED OR MADE

(PCT Rule 60.1(c) or 60.2(c) and Administrative Instructions, Section 418)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark Office,
PCT
2011 South Clark Place Room CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year) 16 December 2002 (16.12.02)	in its capacity as elected Office			
International application No.	International filing date			
PCT/US00/15021	(day/month/year) 08 June 2000 (08.06.00)			
Applicant ELI LILLY AN	ND COMPANY			
	The International Bureau hereby notifies the elected Office that the International Preliminary Examining Authority has declared that the demand relating to the international application has been considered as if it had not been submitted.			
	the that it has declared that the notice containing the later election of the dollars been considered as if it had not been submitted:			

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

Authorized officer

Philippe Bécamel

Facsimile No. (41-22) 740.14.35

Telephone No. (41-22) 338.83.38

PATENT COOPERATION TREATY

From the			
INTERNATIONAL PRELIMINARY	EXAMINING AUTHORITY		
To: COHEN, Charles E. ELI LILLY AND COMPANY Lilly Corporate Center Indianapolis, Indiana 46285 ETATS-UNIS D'AMERIQUE	RECEIVE NOV 0 7 2001 ELI LILLY & COMPAN PATENT DIVISION	NOTIFIC THE INT	PCT ATION OF TRANSMITTAL OF TRANSMINATION REPORT
	- 5171310A		(PCT Rule 71.1)
		Date of mailing (day/month/year)	23.10.2001
Applicant's or agent's file reference			
X-11811		li li	MPORTANT NOTIFICATION
International application No. International filing date (da PCT/US00/15021 08/06/2000		y/month/year)	Priority date (day/month/year) 15/07/1999
Applicant ELI LILLY AND COMPANY et al.			

- 1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/

Authorized officer

European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl

Cardenas, C

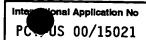
Fax: +31 70 340 - 3016

Tel.+31 70 340-3370



(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference X-11811	FOR FURTHER see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.			
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)		
PCT/US 00/15021	08/06/2000	15/07/1000		
Applicant	08/00/2000	15/07/1999		
ELI LILLY AND COMPANY et a	al.			
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Auth	nority and is transmitted to the applicant		
according to Atticle 16. A copy is being that	nsmitted to the international bureau.			
This International Search Report consists				
X It is also accompanied by	a copy of each prior art document cited in this	report.		
Basis of the report				
 a. With regard to the language, the i language in which it was filed, unle 	nternational search was carried out on the bas ess otherwise indicated under this item.	is of the international application in the		
the international search we Authority (Rule 23.1(b)).	as carried out on the basis of a translation of th	ne international application furnished to this		
b. With regard to any nucleotide and was carried out on the basis of the	dor amino acid sequence disclosed in the int	ternational application, the international search		
	nal application in written form.			
filed together with the inter	mational application in computer readable form	n.		
	this Authority in written form.			
	this Authority in computer readble form.			
the statement that the sub- international application as	sequently furnished written sequence listing do s filed has been furnished.	pes not go beyond the disclosure in the		
the statement that the information	rmation recorded in computer readable form is	identical to the written sequence listing has be n		
2. X Certain claims were foun	nd unsearchable (See Box I).			
3. Unity of invention is tack	ing (see Box II).			
A NASAb reported to the AMI				
 With regard to the title, the text is approved as subsequents. 	omitted by the applicant			
= -	ned by this Authority to read as follows:			
5. With regard to the abstract,				
X the text is approved as sub	omitted by the applicant			
the text has been establish	ned, according to Rule 38.2(b), by this Authority date of mailing of this int rnational search repo	v as it appears in Box III. The applicant may, ort, submit comments to this Authority.		
6. The figure of the drawing to be public				
as suggested by the applic	ant.	None of th figures.		
because th applicant faile	• •			
because this figure bett ro	haract rizes the invention.			



Relevant to claim No.

1-13

A. CLASSIFICATION OF SUBJECT MATTER IPC 7 C07K7/06 A61K38/08 A61P31/10

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Category °

A

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, CHEM ABS Data, BIOSIS, MEDLINE

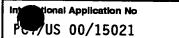
Citation of document, with indication, where appropriate, of the relevant passages

A BALLIO ET AL: "Novel bioactive

syringae: the pseudomycins"

lipodepsipeptides from Pseudomonas

Α	FEBS LETTERS, NL, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, vol. 355, no. 1, 21 November 1994 (1994-11-21), 96-100, XP002125309 ISSN: 0014-5793 cited in the application the whole document US 5 837 685 A (HARRISON LESLIE 17 November 1998 (1998-11-17) cited in the application the whole document	pages
	ner documents are listed in the continuation of box C.	Patent family members are listed in annex.
"A" docume conside "E" earlier de filing de "L" docume which is citation "O" docume other m "P" docume later the	nt which may throw doubts on priority claim(s) or s cited to establish the publication date of another or other special reason (as specified) nt referring to an oral disclosure, use, exhibition or	"T" later document published after the international filling date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an invention to considered to involve an invention search to considered to involve an invention step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art. "&" document member of the same patent family
10	0 October 2000	17/10/2000
Name and m	alling address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL – 2280 HV Rijswijk Tel. (+31–70) 340–2040, Tx. 31 651 epo nl, Fax: (+31–70) 340–3016	Authorized officer Groenendijk, M



C (Cartier	etion) DOCUMENTS CONSIDERED TO BE BEI THAT	P64/US 00/15021		
Category °	(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT ategory * Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No.			
61		Relevant to claim No.		
A	US 5 576 298 A (STROBEL GARY A ET AL) 19 November 1996 (1996-11-19) cited in the application the whole document	1-13		
T	CHEN E.A.: "Syntheses and biological evaluation of novel pseudomycin side-chain analogues. Part 2" BIOORG.MED.CHEM.LETT., vol. 10, no. 18, 2000, pages 2107-2110, XP004208322 the whole document	1-13		
T	JAMISON E.A.: "Syntheses and antifungal activity of pseudomycin side-chain analogues.Part 1" BIOORG.MED.CHEM.LETT., vol. 10, no. 18, 2000, pages 2101-2105, XP004208321 the whole document	1-13		
ŕ				
	·			

1



in tional Application No
Per/US 00/15021

Patent document cited in search report		Publication date		atent family m mber(s)	Publication dat
US 5837685	Α	17-11-1998	US US	5576298 A 5981264 A	19-11-1996 09-11-1999
US 5576298	Α	19-11-1996	US US	5981264 A 5837685 A	09-11-1999 . 17-11-1998

Form PCT/ISA/210 (patent family annex) (July 1992)

PCT

REC'D 23 OCT 2001

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent	's file reference		Saa	Notification of Transmittal of International					
X-11811		FOR FURTHER AC	minary Examination Report (Form PCT/IPEA/416)						
International application No.		International filing date (day/month/year)		Priority date (day/month/year)					
PCT/US00/1502	21	08/06/2000		15/07/1999					
International Patent Classification (IPC) or national classification and IPC C07K7/06									
Applicant									
ELI LILLY AND	ELI LILLY AND COMPANY et al.								
1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.									
2. This REPOR	T consists of a total of	7 sheets, including this	cover sheet.						
 This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of sheets. 									
3. This report co	3. This report contains indications relating to the following items:								
ι⊠E	Basis of the report	r							
II D F	Priority								
!									
	IV Lack of unity of invention								
		nder Article 35(2) with re ons suporting such state		/, inventive step or industrial applicability;					
_	Certain documents cite	· · · · · · · · · · · · · · · · · · ·							
VII 🖾 C									
VIII ⊠ C									
Date of submission of the demand			Date of completion of this report						
19/01/2001			23.10.2001						
preliminary examinir	Name and mailing address of the international preliminary examining authority:			er Jagob ACOUS MAILLING TO					
European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl			Groenendijk	, M					

Telephone No. +31 70 340 3715

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/15021

1	Racic	of the	report
ı.	Dasis	or the	report

1.	the and	With regard to the elements of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)): Description, pages:							
	1-5	2	as originally filed						
	Cla	laims, No.:							
	1-13	3	as originally filed						
2.			uage, all the elements marked above were available or furnished to this Authority in the						
		language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language: , which is:							
	1116	se cientents were a	valiable of furnished to this Additionty in the following language. , which is:						
		the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).							
	☐ the language of publication of the international application (under Rule 48.3(b)).								
		the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).							
3.		With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:							
		contained in the int	ernational application in written form.						
		filed together with the international application in computer readable form.							
		furnished subsequently to this Authority in written form.							
		☐ furnished subsequently to this Authority in computer readable form.							
		The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.							
		The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.							
1.	The	he amendments have resulted in the cancellation of:							
		the description,	pages:						
		the claims,	Nos.:						
		the drawings,	sheets:						
5.		•	en established as if (some of) the amendments had not been made, since they have been eyond the disclosure as filed (Rule 70.2(c)):						

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

		• •										
6.	Ado	ditional observations, if ne	ecessar	y:								
III.	Nor	n-establishment of opin	ion wit	h regard	to novelt	y, inver	ntive ste	ep and ind	lustrial a	applicab	oility	
1.		he questions whether the claimed invention appears to be novel, to involve an inventive step (to be non- bvious), or to be industrially applicable have not been examined in respect of:										
		the entire international a	applicati	on.								
	×	claims Nos. 12,13 as to	industi	rial applica	ability.							
be	caus	se:										
	the said international application, or the said claims Nos. 12,13 relate to the following subject matter white does not require an international preliminary examination (<i>specify</i>): see separate sheet						which					
		the description, claims of that no meaningful opin.		-	-		ments b	<i>pelow</i>) or s	aid claim	s Nos.	are so u	nclear
		the claims, or said claim could be formed.	ıs Nos.	are so in	adequate	ly suppo	orted by	the descri	ption tha	t no mea	aningful	opinior
		no international search	report h	as been e	establishe	d for the	e said cl	aims Nos.	•			
2.	and	A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative instructions:										
		the written form has not	been fu	urnished o	or does no	ot compl	y with th	ne standar	d.			
		the computer readable	orm ha	s not bee	n furnishe	d or doe	es not co	omply with	the stan	dard.		
V.	. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability citations and explanations supporting such statement							ıbility;				
1.	Sta	tement										
	Nov	velty (N)	Yes: No:	Claims Claims	1-13							
	Inve	entive step (IS)	Yes: No:	Claims Claims	1-13							
	Indi	ustrial applicability (IA)	Yes:	Claims	1-11							

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/15021

No: Claims

2. Citations and explanations see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made: see separate sheet

EXAMINATION REPORT - SEPARATE SHEET

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

Claims 12 and 13 relate to subject-matter considered by this Authority to be covered by the provisions of Rule 67.1(iv) PCT. Consequently, no opinion will be formulated with respect to the industrial applicability of the subject-matter of these claims (Article 34(4)(a)(i) PCT).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following documents (D) are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1:FEBS Letters, 355(1994), 96-100

D2:Bioorg.Med.Chem.Lett., 10(18), 2000, 2101-2105

I.NOVELTY

In view of the available prior art the claims 1-13 are considered to be novel under Art.33(2) PCT.

II.INVENTIVE STEP

- 1)The closest prior art is considered to be D1 disclosing pseudomycin analogs having antifungal activity.
- The compounds of the present application differ from said prior art compounds essentially in the presence of some amide or ester forming substituents on at least one of the amino acid residues Asp or 3-OH-Asp. The resulting compounds exhibit less toxic side-effects.
- The problem to be solved may therefore be considered to be the provision of pseudomycin analogs having less toxic side-effects.
- 4)In the prior art there was no indication or suggestion that the present substitution

EXAMINATION REPORT - SEPARATE SHEET

pattern would result in less toxic side-effects without being detrimental to the activity of the compounds. Consequently an inventive step can be acknowledged to those compounds which actually solve the problem posed.

5) However the present claims 1-6 and the related claims 7-13 are encompassing compounds with a very broad substitution pattern in the side-chain. Having regard to said plethora of side-chain substituents it is considered to be very unlikely that all of said substituents result in active compounds, which actually can be illustrated by D2, disclosing side-chain residues having aromatic moieties which are encompassed by the present claims and which lack an acceptable activity (e.g., see Table I). Moreover said claims also encompass very short side-chains which also very unlikely can be considered to exhibit an acceptable activity.

Therefore in order to acknowledge an inventive step to said claims their scope should either have been restricted to the compounds demonstrated to be active or it should have been justified by additional experimental data. In the absence of both the restriction and justification of scope said claims 1-13 are considered to lack an inventive step under Art.33(3) PCT.

For the assessment of the present claims 12 and 13 on the question whether they are industrially applicable, no unified criteria exist in the PCT Contracting States. The patentability can also be dependent upon the formulation of the claims. The EPO, for example, does not recognize as industrially applicable the subject-matter of claims to the use of a compound in medical treatment, but may allow, however, claims to a known compound for first use in medical treatment and the use of such a compound for the manufacture of a medicament for a new medical treatment.

Re Item VII

Certain defects in the international application

In several positions in the description the application contains the expression "incorporated by reference". However the application should, regarding the essential features of the invention, be self-contained, that is, capable of being understood without reference to any other document. Consequently said expression should have been deleted from the description and, if necessary, said subject-matter by reference should expressly have been incorporated into the description, subject to the restrictions under the Articles 19(2) and 34(2)(b) PCT (see PCT Guidelines CII, 4.17-4.18).

Re item VIII

Certain observations on the international application

1) The claims 1-6,8 and 9 contain expressions like "aryl", "heteroaryl", "cycloheteroalkyl" and "alkoxy" without further definition, which renders the scope of said claims unclear under Art.6 PCT. In response the applicant has submitted that said definitions are present in the description and consequently the scope of the claims should be considered to be clear under Art.6 PCT.

However an independent claim should clearly specify all of the essential features needed to define the invention (PCT Guidelines C-III,4.1-4.7a). Moreover the expression "aryl" in the description is open-ended and undefined substitution is allowed in both aryl- and alkyl-based moieties. Hence this objection is maintained.